

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARLENE FEARS,

Plaintiff,

Case No. 19-cv-12130
Hon. Matthew F. Leitman

v.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

**SCHEDULING ORDER
(ERISA ACTION)**

SPECIAL NOTICE TO COUNSEL:

This being an ERISA denial of benefits action, proceedings in this matter will be conducted in accordance with the Guidelines set forth by the Sixth Circuit Court of Appeals in *Wilkins v. Baptist Healthcare Systems, Inc.*, 150 F.3d 609 (6th Cir. 1998). Counsel are advised to read the *Wilkins* case, in particular, the “Suggested Guidelines” section of the opinion, 150 F.3d at 619.

Pursuant to Rule 16(f) of the Federal Rules of Civil Procedure, it is the policy of the Court to enforce the deadlines and cut-off dates set forth in this Scheduling Order. Requests for modifications of dates set by this Scheduling Order should be submitted by written motion or stipulation to the Court within 21 days prior to the date for which modification is sought.

Pursuant to the Local Rules of the United States District Court for the Eastern District of Michigan, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. The parties shall jointly file with the Court all pertinent plan documents and all materials contained in the administrative record of this matter on or before **December 30, 2019**. The parties may file the administrative record under seal.
2. The parties shall file cross-motions to reverse or affirm the administrator's decision by **April 20, 2020**, simultaneous response briefs by **May 20, 2020**, and simultaneous reply briefs by **June 3, 2020**.

Counsel are expected to comply with all Local Rules concerning Motion Practice, specifically L.R. 7.1 which requires filing of responses to dispositive motions within 21 days after service of the motion and the filing of reply briefs within 14 days after service of the response, unless otherwise ordered by the Court.

Pursuant to L.R. 7.1(e)(2), the Court may order that any motions filed in this case may be determined on the briefs without oral hearing.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 5, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 5, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764